

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,	:	Hon. Brian R. Martinotti, U.S.D.J.
	:	
Plaintiff,	:	Civil Action No. 19-12715
	:	
v.	:	PARTIAL DEFAULT JUDGMENT
	:	AND ORDER OF FORFEITURE
ONE 2015 JEEP WRANGLER, VIN	:	(AS TO THE DEFENDANT
1C4HJWEG5FL589336;	:	VEHICLES)
	:	
ONE 2017 POLARIS SLINGSHOT SL,	:	
VIN 57XAAPFA3H8124858;	:	
	:	
ONE 2015 HARLEY DAVIDSON	:	
FLHXSE CVO STREET GLIDE, VIN	:	
1HD1PXN1XFB958701;	:	
	:	
ONE 2014 JEEP GRAND CHEROKEE	:	
OVERLAND, VIN	:	
1C4RJFCT4EC211415; AND	:	
	:	
\$20,316.00 IN U.S. CURRENCY,	:	
	:	
Defendants <i>in rem</i> .	:	

WHEREAS, on or about May 20, 2019, the United States filed a Verified Complaint for Forfeiture *In Rem* (the "Verified Complaint") in the United States District Court for the District of New Jersey against *inter alia*, one 2015 Jeep Wrangler, VIN C4HJWEG5FL589336; one 2017 Polaris Slingshot SL, VIN 57XAAPFA3H8124858; one 2015 Harley Davidson FLHXSE CVO Street Glide, VIN 1HD1PXN1XFB958701; and one 2014 Jeep Grand Cherokee Overland, VIN 1C4RJFCT4EC211415 (the "Defendant Vehicles");

WHEREAS, the Verified Complaint alleged that the Defendant Vehicles are subject to forfeiture to the United States pursuant to (1) 21 U.S.C. § 881(a)(6), which subjects to forfeiture all moneys, negotiable instruments, securities, or other things of value furnished, or intended to be furnished, by any person in exchange for a controlled substance and all proceeds traceable to such an exchange, in violation of 21 U.S.C. § 801, *et seq.* (narcotics control and enforcement laws); and (2) 21 U.S.C. § 881(a)(4), which subjects to forfeiture conveyances that were used, or were intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of a controlled dangerous substance in violation of 21 U.S.C. § 801, *et seq.*;

WHEREAS, on or about May 29, 2019, the United States filed a Notice of Complaint for Forfeiture (the "Notice of Complaint");

WHEREAS, the Notice of Complaint stated that any person who wished to assert an interest in and avoid forfeiture of the Defendant Vehicles was required to file a verified claim with the Clerk of the Court within thirty-five (35) days after the date the Notice of Complaint was sent or the date of delivery, if personally served;

WHEREAS, the Notice of Complaint also detailed the procedure for filing a claim and answer;

WHEREAS, the United States learned that Guy Jackson and Lashawn Mealing appeared to have a potential claim to the Defendant Vehicles;

WHEREAS, on or about May 29, 2019, Edward C. Bertucio, Jr., Esq., counsel for Guy Jackson, and David E. Schafer, Esq., counsel for Lashawn Mealing, accepted service of the Verified Complaint and the Notice of Complaint by email;

WHEREAS, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, Notice of Civil Forfeiture was posted on an official internet government forfeiture website, namely www.forfeiture.gov for at least 30 consecutive days, beginning on June 5, 2019, notifying all third parties of their right to file a claim with the Court within 60 days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the property;

WHEREAS, on June 30, 2019, Lashawn Mealing, through counsel, filed a verified claim to the \$20,316.00 in United States currency, and waived her claim to the Defendant Vehicles;

WHEREAS, on July 3, 2019, Guy Jackson, through counsel, filed a verified claim to the \$20,316.00 in United States currency, and waived his claim to the Defendant Vehicles;

WHEREAS, no conforming Claim as to the Defendant Vehicles has been filed within the time required by Rule G(5)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, and 18 U.S.C. § 983(a)(4)(A), and the statutory time periods in which to do so have expired;

IT IS HEREBY, ORDERED, ADJUDGED, AND DECREED:

1. THAT a Partial Default Judgment and Order of Forfeiture is granted against the Defendant Vehicles, namely one 2015 Jeep Wrangler, VIN C4HJWEG5FL589336; one 2017 Polaris Slingshot SL, VIN 57XAAPFA3H8124858; one 2015 Harley Davidson FLHXSE CVO Street Glide, VIN 1HD1PXN1XFB958701; and one 2014 Jeep Grand Cherokee Overland, VIN 1C4RJFCT4EC211415, and no right, title or interest in the Defendant Vehicles shall exist in any other party.

2. THAT any and all forfeited funds derived from the sale of the Defendant Vehicles, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, after the payment of costs and expenses incurred in connection with the forfeiture and disposition of the forfeited property, shall be deposited forthwith by the United States Marshals Service into the Department of Justice Assets Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

ORDERED this 9th day of January, 2020.


HON. BRIAN R. MARTINOTTI, U.S.D.J.

**unopposed*